

REMARKS

After entry of this amendment, claims 21, 23-35, and 44-50 remain pending. In the present Office Action, claims 21-24 and 44-46 were rejected under 35 U.S.C. § 102(e) as being anticipated by Reuter et al., U.S. Patent No. 6,772,231 ("Reuter"). Claims 21-26, 29-33, and 44-48 were rejected under 35 U.S.C. § 102(e) as being anticipated by Blades et al., U.S. Patent No. 6,493,811 ("Blades"). Claims 29-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Reuter. Claims 27-28, 34-35, and 49-50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Blades and various other cited U.S. Patents. Applicant respectfully traverses these rejections and requests reconsideration.

Claims 21, 23-35, and 44-50 are Patentable over Reuter

Applicant respectfully submits that claims 21, 23-35, and 44-50 recite combinations of features not taught or suggested in Reuter. For example, claim 21 recites: "an application executable on the processing hardware and with the operating system, wherein the application is a source of at least one of the one or more additional commands."

The Office Action asserts that Reuter teaches the one or more additional commands at col. 7, lines 21-30. However, these teachings are: "The system 100 further includes a set of operations used to manage and coordinate the SCSI state data between the controller 120 and the agents 110. These operations are designed to allow efficient distribution of the SCSI state over a concise interface. In this way, the operations may be carried out remotely over any suitable network transport mechanism, such as the communication channel 132. These operations generally fall into two categories: command/response operations and fault/response operations." Thus, the various operations discussed in this section are communicated between the controller 120 and the agents 110. Figs. 4 and 5 are described in paragraphs that follow the above cited section, and these paragraphs teach various operations issued by the controller 120 (Fig. 4) and the agents 110 (Fig. 5). Since neither the controller 120 nor the agents 110 are an application as recited above in claim 21, Reuter does not anticipate claim 21.

For at least the above stated reasons, Applicant submits that claim 21 is patentable over Reuter. Claims 23-28 depend from claim 21, and thus are patentable over Reuter for at least the above stated reasons as well. Claims 23-38 recite additional combinations of features not taught or suggested in Reuter.

Claim 29 recites a combination of features including: "an application designed to execute with the operating system is a source of at least one of the one or more additional commands". The same teachings of Reuter highlighted above with regard to claim 21 are alleged to teach the features of claim 29. Applicant respectfully submits that Reuter does not teach or suggest the above highlighted features of claim 29, either. Accordingly, claim 29 is also patentable over Reuter. Claims 30-35 depend from claim 29 and recite additional combinations of features not taught or suggested in Reuter.

Claim 44 recites a combination of features including: "sourcing at least one of the one or more additional commands from an application that is designed to execute with the operating system." The same teachings of Reuter highlighted above with regard to claim 21 are alleged to teach the features of claim 44. Applicant respectfully submits that Reuter does not teach or suggest the above highlighted features of claim 44, either. Accordingly, claim 44 is also patentable over Reuter. Claims 45-50 depend from claim 44 and recite additional combinations of features not taught or suggested in Reuter.

Claims 21, 23-35, and 44-50 are Patentable over Blades

Applicant respectfully submits that claims 21, 23-35, and 44-50 recite combinations of features not taught or suggested in Blades. For example, claim 21 recites: "each of the operating system, the storage management system, and the application are executable on the processor during use."

The Office Action asserts that Blades anticipates claim 21, asserting that the storage management system is element 12 (the Mass Storage System Controller). However, Blades teaches the following with regard to the Mass Storage System

Controller: "The host system is connected to the mass storage system controller through a conventional disk driver 14 across a SCSI channel or fibre channel 16. MSSC 12 is a computing system and is implemented as a personal computer or workstation computer, such as those based on any of the INTEL-compatible processor designs, or various other processor designs. Intelligent controller or MSSC 12 may also be implemented as a computing system board having a processor and memory and with the board mounted in the frame of a host computer. Alternatively, MSSC 12 may be mounted separately as a standalone computer located remotely from the host," (Blades, col. 4, lines 30-41) Thus, in all cases, the MSSC 12 includes its own processor, separate from that of the host 10 that executes the operating system and any applications. The MSSC 12 executes its own software, on its own processor, separate from the host processor(s) that execute the operating system and any applications that may execute with the operating system.

For at least the above stated reasons, Applicant submits that claim 21 is patentable over Blades. Claims 23-28 depend from claim 21, and thus are patentable over Blades for at least the above stated reasons as well. Claims 23-38 recite additional combinations of features not taught or suggested in Blades.

Claim 29 recites a combination of features including: "the application, the operating system, and the one or more storage management components execute on the same processing hardware comprising at least one processor during use". The same teachings of Blades highlighted above with regard to claim 21 are alleged to teach the features of claim 29. Applicant respectfully submits that Blades does not teach or suggest the above highlighted features of claim 29, either. Accordingly, claim 29 is also patentable over Blades. Claims 30-35 depend from claim 29 and recite additional combinations of features not taught or suggested in Blades.

Claim 44 recites a combination of features including: "executing the operating system, the application, and a storage management system that performs the providing on a same one or more processors." The same teachings of Blades highlighted above with regard to claim 21 are alleged to teach the features of claim 44. Applicant respectfully

submits that Blades does not teach or suggest the above highlighted features of claim 44, either. Accordingly, claim 44 is also patentable over Blades. Claims 45-50 depend from claim 44 and recite additional combinations of features not taught or suggested in Blades.

CONCLUSION

Applicant submits that the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5760-01301/LJM.

Respectfully submitted,

/Lawrence J. Merkel/

Lawrence J. Merkel, Reg. #41191
AGENT FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800

Date: April 19, 2007